



Department of Justice

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FOR IMMEDIATE RELEASE
MONDAY, APRIL 28, 2008
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MONTANA MAN SENTENCED FOR POSSESSION OF CHILD PORNOGRAPHY

BILLINGS – Gregory Cody Herndon, a 22-year-old resident of Great Falls and Cobb County, Tennessee, was sentenced today to a term of 108 months in federal prison in connection with his guilty plea to possession of child pornography. Herndon was also ordered to pay a special assessment of \$100 and will be under supervision for 3 years.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

During an investigation by U.S. Immigration and Customs Enforcement (ICE) agents of allegations of child pornography violations by users utilizing the peer-to-peer file sharing network. One investigation involved a person in Great Falls who was found to have images of child pornography in his file sharing program beginning in November 2006 through February of 2007. ICE agents tracked the computer IP address to a residence in Great Falls which had been Herndon's previous residence.

Further investigation revealed that in February of 2007, Herndon moved to another apartment in Great Falls. The agents executed a search warrant on that residence on March 23, 2007.

Herndon was questioned and initially claimed that he had already sold his laptop computer on eBay; however, the laptop was found under the couch in Herndon's new residence. Herndon then admitted that he used the LimeWire file sharing program but claimed that he did not intentionally receive child pornography, but may have accidentally viewed or received the images while searching for pornography on the Internet.

Approximately eleven movies containing child pornography were found during a forensic examination of Herndon's laptop computer.

The investigation was conducted by the U.S. Immigration and Customs Enforcement. Assistant United States Attorney Marcia K. Hurd prosecuted the case.

This case was brought as part of Project Safe Childhood. In February 2006, the Department of Justice launched Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the United States Attorneys' Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend, and prosecute individuals who

exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafecchildhood.gov/.

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